

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)) MDL No. 1917
ANTITRUST LITIGATION)
) Case No. C-07-5944-SC

10 This Order Relates To:) ORDER DENYING MOTION TO
) SHORTEN TIME
11 Case No. 3:14-cv-02510)
12 VIEWSONIC CORP.)
13 Plaintiff)
14 v.)
15 CHUNGHWA PICTURE TUBES, LTD.,)
et al,)
16 Defendants.)
17)
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19)

Now before the Court is an administrative motion to shorten time filed by Defendant Chunghwa Picture Tubes, Ltd. and Chunghwa Picture Tubes (Malaysia) Sdn. Bhd. (collectively, "Chunghwa"). ECF No. 3474 ("Mot."). Citing the impending trial date and various other pre-trial deadlines, Chunghwa seeks to shorten the time for Plaintiff ViewSonic Corporation to respond to Chunghwa's motion to exclude certain allegedly late-disclosed evidence pursuant to Federal Rule of Civil Procedure 37(c)(1). ECF No. 3473 ("37(c)(1) Mot."). Under Chunghwa's proposed schedule, ViewSonic would be

1 ordered to file its opposition to the motion to exclude by January
2 29, 2015, Chunghwa would file its reply by February 3, 2015, and
3 the motion would be heard along with the pending summary judgment
4 motions on Friday, February 6, 2015.

5 ViewSonic opposes the request, arguing that it will be
6 prejudiced by being forced to respond to Chunghwa's motion to
7 exclude just two days after opposing this motion and in the midst
8 of preparing for trial on March 9, 2015. See ECF No. 3493
9 ("Opp'n") at 1-2. As a result, ViewSonic argues the motion should
10 be governed by the schedule set forth by the local rules, which
11 would require ViewSonic to file its opposition to the motion to
12 exclude on February 6, 2015, Chunghwa to serve its reply by
13 February 13, 2015, and the motion to be heard on March 6, 2015.

14 In light of the prejudice ViewSonic will suffer if it is
15 forced to respond with such short notice, the motion is DENIED.
16 Instead, briefing on the motion to exclude shall be governed by the
17 schedule set forth in the local rules. To accommodate Chunghwa's
18 concerns about the hearing date's proximity to the trial date, the
19 Court ORDERS the motion to be set for a hearing on Friday, February
20 20, 2015 at 10:00 AM.

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22 IT IS SO ORDERED.

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24 Dated: January 29, 2015



25 UNITED STATES DISTRICT JUDGE
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